

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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STATE OF NEW JERSEY,	)	
	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	
UNITED STATES DEPARTMENT OF	)	No. 23-3885
TRANSPORTATION, <i>et al.</i> ,	)	Hon. Brian R. Martinotti
	)	
<i>Defendants,</i>	)	
	)	
and	)	
	)	
METROPOLITAN TRANSPORTATION	)	
AUTHORITY, <i>et al.</i> ,	)	
	)	
<i>Defendant-Intervenors.</i>	)	
	)	

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**DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT AND OPPOSITION  
TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Defendants the U.S. Department of Transportation, the Federal Highway Administration (“FHWA”), Shaileen Bhatt, in his official capacity as Administrator of FHWA, and Richard J. Marquis, in his official capacity as Division Administrator of the New York Division of FHWA, hereby file their opposition to Plaintiff’s Motion for Summary Judgment, ECF No. 67.

In addition, Defendants cross-move for summary judgment under Federal Rule of Civil Procedure 56. As set forth in the accompanying memorandum in support, the Court should grant summary judgment to Defendants as to all of Plaintiff’s claims.

Respectfully submitted,

TODD KIM  
Assistant Attorney General  
United States Department of Justice  
Environment & Natural Resources Division

/s/ GREGORY M. CUMMING

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